



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

June 1, 2000

CERTIFIED RETURN RECEIPT
Z 230 748 202

Lon Thomas
Star Stone Quarries, Inc.
4040 South 300 West
Salt Lake City, Utah 84107

Re: Third Review of Notice of Intention to Commence Large Mining Operations, Star Stone Quarries, Inc., Heber Mine, M/051/001, Wasatch County, Utah

Dear Mr. Thomas:

The Division has completed a third review of your draft Notice of Intention to Commence Large Mining Operations for the Heber Quarry, located in Wasatch County, Utah, which was received March 31, 2000. After reviewing the information, the Division has the following comments which will need to be addressed before we can proceed to publish notice of tentative approval. It is requested that you provide a written statement of agreement to the review comments and provide the addresses of the listed adjacent land owners by June 16, 2000. If you can agree to the attached review comments/clarifications, the Division will then publish notice of tentative approval in the Salt Lake and local area newspapers. *Please only address the remaining concerns so that we can complete the permitting of this site.* The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion.

The Division will suspend further review of the Heber Quarry NOI until your response to this letter is received. If you have any questions in this regard please contact me, or Lynn Kunzler of the Minerals Staff. If you wish to arrange a meeting to sit down and discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb

Attachment: Review #3

cc: Lynn Kunzler, DOGM

REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

Star Stone Quarries, Inc.
Heber Quarry

M/051/001
June 1, 2000

R647-4-104 - Operator's, Surface and Mineral Ownership

Please provide the addresses of the following adjacent land owners:

Paul Fitzgerald
Logan Hunter
(Mr) Atkinson
Lake Creek Power

R647-4-105 - Maps, Drawings & Photographs

105.1 Topographic base map, boundaries, pre-act disturbance

The soil survey map (aerial photo) which is referenced to depict pre-law disturbances does not show significant disturbance within the life-of mine area. Since the limited area that was previously impacted has been (or will be) re-impacted by current operations, no areas impacted by this mining operation will be considered grandfathered. Reclamation will be required on all areas unless a variance is requested, appropriately justified and approved for certain areas to remain unreclaimed for post-mining land use. (LK)

R647-4-106 - Operation Plan

106.5 Existing soil types, location, amount

The NOI indicates that the shortfall of soil material needed for reclamation will be made up by utilizing a borrow area outside the permit area (location of the borrow area is shown on map #2). It is further stated that this area is not planned to be reclaimed under the 5-year permit term - reclamation is to take place during final reclamation and will not be bonded under this NOI. Please note, this area must be included in the reclamation bond, since, if the operator defaults and the surety is forfeited, the soil material would be needed to reclaim the site and reclamation of the borrow area would take place. The attached reclamation surety estimate assumes one acre of disturbance will need to be reclaimed for the borrow area. (LK)

R647-4-111 - Reclamation Practices

111.1 Public safety & welfare

1.14 Posting warning signs

Warning signs need to be posted above all highwalls regardless of whether a house is constructed or not. A house on the quarry floor does not reduce the potential hazards of highwalls. (LK)

R647-4-112 - Variance

Four variances were requested in the revised NOI. However, the variance request section did not contain all the necessary information as required by R647-4-112. Items lacking included: no citation of the appropriate rule for which a variance was being requested, or an adequate justification for granting the variance. Discussed below are the four requested variances under the appropriate rule

citation (given the intent for which the variance was requested). Please note, the Division will need to inspect the areas for which variances have been requested before we can grant final approval of the variances. (LK)

1. A variance to **Rule R647-4-107.5 Soils** was requested to not salvage soils from areas deemed too thin or rocky by the operator (these areas were not identified on the maps provided). The NOI states that available soils will be salvaged and stockpiled for reclamation. At a proposed replacement depth of six inches, substitute soils and/or borrow soil will be needed for reclamation, thus demonstrating the need to salvage all topsoil. However, it appears that the intent of the operator is to salvage all available topsoil. Consequently, a variance to not salvage all available topsoil would be counterproductive. Therefore, this variance request *is denied*. (LK)
2. A variance to **Rule R647-4-111.8 Roads** was requested to leave the main road to the upper quarry area for a potential future single family dwelling. It is probable that the pre-existing roads to the east and west of the quarry will provide access to upper quarry area. Also, text in the Notice leaves a question as to the certainty of whether a house will be constructed or not. To construct a house on the quarry floor would require a post mining land use change that would need to be approved by Wasatch County (or other local municipality) before the Division could approve the change. Therefore, adequate justification to leave the main access road for the post-mining land use has not been provided. This requested variance *is denied*. (LK)
3. A variance to **Rule R647-4-111.7 Highwalls** was requested to leave approximately 375 linear feet of highwall (as shown on Map #7) at a slope steeper than 45 degrees. This highwall is at a current angle of 60 degrees (assumed). The slope above the highwall is at 38 degrees. Before the Division can grant this variance, the operator will need to demonstrate that the highwall will remain stable at an angle steeper than 45 degrees. A slope stability analysis may justify this variance request. To reduce the highwall to a 45 degree or flatter slope by regrading the crest will create less than one acre of additional disturbance. This does not take into consideration any backfilling that could be done at the base of this highwall. The variance request *is denied* at this time. (LK)
4. A variance to **Rule R647-4-111.12 Topsoil Redistribution and R647-4- 113 Revegetation** was requested to not revegetate highwall slopes steeper than 60 degrees. This variance would only apply to the 375 feet of highwall at the lower quarry (as shown on map #7). All other highwalls are planned to be regraded to a slope of 45 degrees or less. The Division concurs that trying to replace topsoil on a 60 degree slope is not feasible. Without topsoil, vegetation establishment is unlikely. Assuming that a stability analysis demonstrates that this highwall is stable and the requested variance to leave this highwall steeper than 45 degrees is approved (see item #3, variance to Rule R647-4-111.7 Highwalls), this variance will also be approved. (LK).

R647-4-113 - Surety

A revised surety estimate is attached.

RECLAMATION SURETY ESTIMATE

American Stone

last revision

06/01/00

Heber Quarry

filename M051-001

M/051/001

Wasatch County

Prepared by Utah State Division of Oil, Gas & Mining

-This estimate uses a D8 size dozer for most earthwork

0.15 acres was allowed for highwall variance

Sub-soil on pit floors will be placed at a 2' depth

Soil was calculated at a 6" depth over entire site

1 acre of borrow area reclamation included in total disturbance.

Note: actual unit costs may vary according to site conditions last unit cost update 08/25/99

-Amount of disturbed area which will receive reclamation treatments = 14.85 acres

-Estimated total disturbed area for this mine = 15.0 acres

Activity	Quantity	Units	\$/unit	\$	Note
Safety gates, signs, etc. (mtls & installation)	1	sum	200	200	(1)
Debris & equipment removal - loading trucks w/FE loader				0	(5)
Demolition & debris removal - general labor	10	hours	15	150	(6)
Regrading facilities areas (1 ft depth)				0	(7)
Regrading waste dump slopes 1.6 ac X 3 ft deep	7,750	CY	0.47	3,643	(8)
Ripping waste dump tops	3.1	acre	220	682	(9)
Ripping stockpile & compacted areas	1.9	acre	220	418	(9)
Ripping pit floors	4.0	acre	220	880	(9)
Ripping pit access roads	1.3	acre	220	286	(9)
Resloping Pit Highwalls	1,700	CF	0.47	799	(8)
Ripping access roads - dozer				0	(9)
Regrading access roads - dozer				0	(7)
Sidecast mtl replacement on steep roads- trackhoe	1,300	LF	0.85	1,105	(11)
Sub-soil placement (2' cover/ 4 acres) Pit Floors	12900	CY	1.15	14,835	(10)
Topsoil replacement - dozer	1500	CY	0.47	705	(12)
Topsoil replacement - truck & FE loader	4150	CY	2.55	10,583	(14)
Topsoil replacement - FE loader	2650	CY	1.15	3050	
Composted manure (10 ton/acre)	14.0	acre	200	2,800	(00)
Broadcast seeding (~20 lb/acre)	14.9	acre	170	2,533	(00)
General site cleanup & trash removal	7.5	acre	50	375	(00)
Equipment mobilization	2	equip	1000	2,000	(00)
Reclamation Supervision	5	days	372	1,860	(15)
		Subtotal		46,903	
10% Contingency				4,690	
		Subtotal		\$51,593	
Escalate for 5 years at 3.27% per yr				9,006	
		Total		\$60,599	
		Rounded surety amount in yr 2005-\$		\$60,600	
Average cost per disturbed acre =		\$4,040			

GENERIC RECLAMATION ESTIMATE

American Stone

Heber Quarry

M/051/001

last revision

06/01/00

filename M/051/001.

Wasatch County

Prepared by Utah State Division of Oil, Gas & Mining

last unit cost update

08/25/99

Note

- (1) DOGM lump sum assumed
- (2) Means Heavy Construction Cost Data 1998, 020-604-0100, mixture of bldg. types, average, excluding dump fee
- (3) Means 1998, 020-620-5100, \$0.48/mile for >8CY truck; assumed 100 miles round trip
- (4) Means 1998, 020-612-0100, dump charges, typical urban city, tipping fees only, bldg construction mtl's
- (5) Rental Rate Blue Book 4/98, Cat 988B, 7CY, & Means 1998, Crew B-10U, loading trucks only
- (6) DOGM assumed wage for unskilled general labor
- (7) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, mtl 2550 lb/CY, 50 ft push, 1 ft depth
- (8) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, mtl 2550 lb/CY, 100 ft push
- (9) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, multi shank rippers, speed 1.0 mph
- (9) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, multi shank rippers, speed 1.0 mph
- (9) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, multi shank rippers, speed 1.0 mph
- (10) Means 1998 & Rental Rate Blue Book 4/98: Cat 988B, 430 CY/hr @\$97/hr + \$38.95/hr
- (9) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, multi shank rippers, speed 1.0 mph
- (7) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, mtl 2550 lb/CY, 50 ft push, 1 ft depth
- (11) Contractor's actual costs, 1991 at E/053/012, Cat 225 Excavator, 20 ft wide road
- (10) Means 1998 & Rental Rate Blue Book 4/98
- (12) Means 1998 & Rental Rate Blue Book 4/98: Cat D8N, U, mtl 2550 lb/CY, 100 ft push
- (13) Means 1998 & Rental Rate Blue Book 4/98: Cat 627F P-P, mtl 2550 lb/CY, 2,000 ft haul one-way, grade +/- 4%,
- (14) Means 1998 022-266-2030: hauling excavated or borrow material, off highway hauler, 22 CY, 1 mile round trip
- (00) DOGM general estimate - mulching
- (00) DOGM general estimate - fertilizing
- (00) DOGM general estimate - manure \$16/ton delivered, \$14/acre spreading
- (00) DOGM general estimate - broadcast seeding
- (00) DOGM general estimate - drill seeding
- (00) DOGM general estimate - hydroseeding
- (00) DOGM general estimate - site cleanup & trash removal
- (00) DOGM general estimate - equipment mobilization
- (15) Means 1998, 010-036-0180, project manager, minimum \$1,815/wk



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March 22, 2000

Lon Thomas
Star Stone Quarries, Inc.
4040 South 300 West
Salt Lake City, Utah 84107

Re: Transfer of Notice of Intention, Small Mining Operations from American Stone, Inc. to Star Stone Quarries, Inc., Santa Barbara Quarry (S/013/006), Duchesne County; Horse Creek Mine (S/049/034), Utah County; Heber Quarry (S/051/001), Wasatch County; and Torry Mine (S/055/016), Wayne County, Utah

Dear Mr. Thomas:

On January 12, 2000, we received your letter stating that American Stone, Inc. was recently split into an operations corporation and a sales corporation. Your letter advised us that the operations corporation will now serve as the mine operator of the stone quarries (Star Stone Quarries, Inc.). On February 29, 2000, we received the completed Small Mining Operations transfer forms to transfer the four small mining projects listed above from American Stone, Inc. to Star Stone Quarries, Inc.

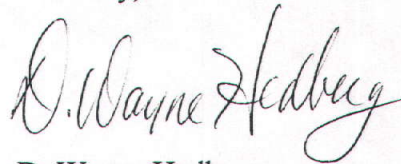
The Division Director signed and executed the transfer documents on March 16, 2000, *which effectively transfers the responsibility of continued mining and reclamation to Star Stone Quarries, Inc.* Copies of the four signed and executed transfer forms are enclosed for your files. Star Stone Quarries, Inc. is now the official party responsible for all mining and reclamation obligations for these projects.

A Large Mining Operations Notice of Intention for the Heber Quarry is currently being reviewed by the Division, under the name of Star Stone Quarries, Inc. The transfer for the Heber Quarry is only for the currently approved small mine notice. We currently hold an "interim" surety for the Heber Quarry on behalf of American Stone. Upon completion of the current large mine notice review, we will require the reclamation surety and reclamation contract agreement be posted in the name of the new corporation.

Page 2
Lon Thomas
March 22, 2000

Thank you for your help in finalizing this transaction. We are awaiting the transfer notices for your six other projects. If you have any questions or concerns regarding this letter, please contact me at (801) 538-5286.

Sincerely,

A handwritten signature in cursive script that reads "D. Wayne Hedberg". The signature is written in dark ink and is positioned above the printed name and title.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb

Enclosure: 4 Executed Transfer forms

cc: Dean Nyffeler, BLM (UTY070593) Torry transfer
Mike Ford, BLM, Horse Creek transfer

thomas-trs

Is your RETURN ADDRESS completed on the reverse side?

SENDER: JB DOGM M/051/001 6/1/2000

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LON THOMAS
STAR STONE QUARRIES INC
4040 S 300 W
SALT LAKE CITY UT 84107

4a. Article Number

Z 230 748 202

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

JUN 07 2000

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

[Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

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JUN 06 2000
DIVISION OF
OIL, GAS AND MINING

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